IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

TUESDAY, THE 5TH JUNE 2007 / 15TH JYAISHTA 1929

Tr.P(C).No. 122 of 2007()

OP.1110/2006 of FAMILY COURT,ERNAKULAM
.....

PETITIONER: RESPONDENT:

SHERINE ELDHOSE, AGED 24 YEARS,
D/O.T.V.GEORGE, THENGUVILAYIL SHERLY NIVAS,
PADINJATTUMSSERYMURI, KAVIYOOR VILLAGE,
THIRUVALLA TALUK.

BY ADV. SRI.MVS.NAMBOOTHIRY

RESPONDENTS: PETITIONER:

ELDHOSE JOSEPH,
AGED 28 YEARS, S/O.LATE JOSEPH,
PADIPPURACKAL VEEDU, MULANTHURUITHY P.O.,
ERNAKULAM.

BY

THIS TRANSFER PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 05/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

M.N. KRISHNAN, J.

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Tr.P.C. NO. 122 OF 2007

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Dated this the 5th day of June, 2007.

J U D G M E N T

This petition is filed to transfer O.P.1110/06 pending before the Family Court, Ernakulam to the file of the Family Court, Thiruvalla where three other cases between the same parties are pending on the matrimonial dispute. The wife is the transfer petitioner. The unfortunate couple got married in the year 2005 and a child was born in 2006 and thereafter had fallen out and the wife had approached the Family Court, Thiruvalla for maintenance as M.C.376/06, for return of money as OP 830/06 and for a decree for divorce as OP 829/06. All these cases are pending before the Family Court, Thiruvalla. Meanwhile, the husband had moved OP 1110/06 before the Family Court, Ernakulam with a prayer for restitution of conjugal rights. Since these three cases are pending before the Family Court, Thiruvalla and as it is desirable to try the cases of divorce and restitution of conjugal rights by one and the same Court it is only just that the case

pending before the Family Court, Ernakulam is also transferred to the Family Court, Thiruvalla for trial and disposal. Since it is convenient to all the parties I am not issuing notice to respondent in this transfer petition.

Therefore, the Tr.P.C. is allowed and the case, O.P.1110/06 pending before the Family Court, Ernakulam is transferred to Family Court, Thiruvalla for trial along with other cases between the same parties. The Family Court, Ernakulam is directed to issue notice of transfer to the petitioner in OP 1110/06 before effecting actual transfer.

M.N. KRISHNAN, JUDGE.

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